

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1821

IN THE MATTER OF:

Served March 27, 1978

Application of AIRPORT LIMO, INC., )  
for Temporary Authority to Perform )  
Charter Operations Pursuant to )  
Contract - National Airlines )  
Aircraft Crews )

Application No. 1019

Application of AIRPORT LIMO, INC., )  
for Certificate of Public )  
Convenience and Necessity to )  
Perform Charter Operations )  
Pursuant to Contract - American )  
Airlines and National Airlines )  
Aircraft Crews<sup>1/</sup>

Application No. 1024

Consolidated Docket No. 400

By Application Nos. 1019 and 1024, as pertinent, Airport Limo, Inc. (Airport Limo), seeks temporary authority and a certificate of public convenience and necessity to transport, in charter operations pursuant to contract, National Airlines aircraft crews having a prior or subsequent movement by air, together with their baggage, between Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, points in the District of Columbia, restricted to transportation performed pursuant to a continuing contract or contracts with National Airlines. This proposal is unopposed.

The station manager of National Airlines testified that airline crews are now transported by taxicabs. Because taxicabs are not always dependable and do not meet the company's liability requirements, National Airlines prefers to enter into a transportation contract with Airport Limo. Service is normally required twice a day, seven days a week for crews of seven to eight persons. In recent years, transportation has been required only to the Washington Hotel, but a new hotel could be selected at any time in the future. Hence, only service to and from hotels is warranted.

1/ Only that portion of Application No. 1024 dealing with service pursuant to contract with National Airlines shall be considered in this order.

Applicant's general manager testified that Airport Limo will provide service with a fleet of 11-passenger vans, some of which are based at National Airport. Airport Limo employs various driver training and vehicle safety schedules, and both standby equipment and personnel will be available to meet any additional service requirements that National Airlines may have.

With respect to applicant's financial fitness, Airport Limo is currently losing approximately \$4,000 a month. Allstate Messenger and Delivery Service, Inc. (Allstate), an affiliated company, has executed a corporate resolution, dated January 26, 1978, in which it agrees to loan whatever money is necessary to cover Airport Limo's losses. Said loan is repayable at 8 percent interest and Allstate's resolution is irrevocable absent 60 days prior written notice to the Commission.

Allstate's balance sheet reflects current assets of \$277,107, total assets of \$406,685, current and long-term liabilities of \$276,575 and \$23,447, respectively, and stockholder's equity of \$106,663.

Title II, Article XII, Section 4(b) of the Compact provides that an application for a certificate of public convenience and necessity shall be granted where the proposed service is or will be required by the public convenience and necessity and where the applicant is fit, willing and able properly to provide such service and to comply with the provisions of the Compact and the Commission's rules, regulations and orders thereunder.

We find that Airport Limo has met the statutory criteria and that Application No. 1024 (as delimited above) should be granted. The evidence clearly establishes a public need for the service and applicant's operational and compliance fitness to provide it. Financially, Airport Limo is in a less-than-optimal position. It does have available, however, the more-than-adequate resources of Allstate to assist the company through its lean, formative months. Moreover, we note that Airport Limo need not purchase additional equipment or make other capital expenditures to provide the proposed service, and a grant of authority herein should improve Airport Limo's operating ratio. Accordingly, the Commission is of the view that a finding of financial fitness is warranted.

Our decision on Application No. 1024 herein obviates the need for a grant of temporary authority. Accordingly, Application No. 1019 shall be denied.

One further matter requires comment. In Order No. 1787 we noted a possible question of common control under Title II, Article XII, Section 12 of the Compact. Our approval of Application No. 1026 and the transfer of Certificate of Public Convenience and Necessity No. 26 from Arlington Yellow Cab Company, Inc., pursuant thereto moots this issue.

THEREFORE, IT IS ORDERED:

1. That Application No. 1019 of Airport Limo, Inc., be, and it is hereby, denied.

2. That Certificate of Public Convenience and Necessity No. 26 to be issued to Airport Limo, Inc., be, and it is hereby, amended to include the following operating rights:

IRREGULAR ROUTES

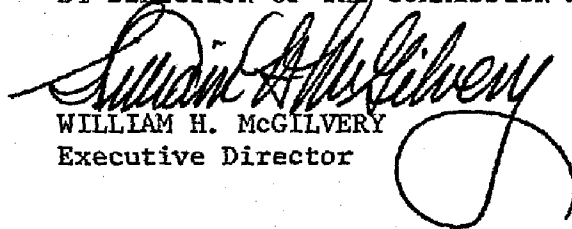
CHARTER OPERATIONS PURSUANT TO CONTRACT to transport National Airlines aircraft crews together with their baggage, having a prior or subsequent movement by air, between Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, hotels in the District of Columbia, restricted to the performance of service pursuant to a continuing contract or contracts with National Airlines and further subject to the five-day and 15-day restrictions already set forth in said Certificate No. 26.

3. That, except to the extent granted herein, the portion of Application No. 1024 considered herein be, and it is hereby, denied.

4. That the revised certificate authorized herein be issued upon the filing by Airport Limo, Inc., of an appropriate WMATC tariff therefor including an executed contract between the carrier and National Airlines.

5. That unless said tariff and contract are filed with the Commission within 30 days from the date of service hereof, the grant of authority herein shall be null and void, and that part of Application No. 1024 considered herein shall stand denied in its entirety, effective upon the expiration of the said 30 days.

BY DIRECTION OF THE COMMISSION :

  
WILLIAM H. MCGILVERY  
Executive Director

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

No. 26\*

AIRPORT LIMO, INC.

ARLINGTON, VIRGINIA

By Order Nos. 1431, 1819, and 1821 of the Washington Metropolitan Area Transit Commission issued May 27, 1975, and March 21 and 27, 1978;

AFTER DUE INVESTIGATION, it appearing that the above-named carrier is entitled to receive authority from this Commission to engage in the transportation of passengers within the Washington Metropolitan Area Transit District, as a carrier, for the reasons and subject to the limitations set forth in Order Nos. 1431, 1819, and 1821;

THEREFORE, IT IS ORDERED, that the said carrier be, and it is hereby, granted this certificate of public convenience and necessity as evidence of the authority of the holder to engage in transportation as a carrier by motor vehicle; subject, however, to such terms, conditions and limitations as are now, or may hereafter be, attached to the exercise of the privilege herein granted to the said carrier.

IT IS FURTHER ORDERED that the transportation service to be performed by the said carrier shall be as specified below:

IRREGULAR ROUTES:

CHARTER OPERATIONS PURSUANT TO CONTRACT to transport Northwest Airlines aircraft crews having a prior or subsequent movement by air, together with their baggage, between Dulles International Airport, Herndon, Va., and Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, points in the District of Columbia.

CHARTER OPERATIONS PURSUANT TO CONTRACT to transport Delta Airlines aircraft crews having a prior or subsequent movement by air, together with their baggage, between Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, points in the District of Columbia.

CHARTER OPERATIONS PURSUANT TO CONTRACT to transport National Airlines aircraft crews having a prior or subsequent movement by air, together with their baggage, between Washington National Airport, Gravelly Point, Va., on the one hand, and, on the other, hotels in the District of Columbia.

IT IS FURTHER ORDERED that the charter operations pursuant to contract authorized by this certificate of public convenience and necessity shall be limited to the performance of service pursuant to continuing bilateral contracts between Airport Limo, Inc., on the one hand, and, on the other, Northwest Airlines, Delta Airlines and National Airlines provided, however, that written notice must be filed by the carrier with the Commission within five (5) days of any cancellation or termination of the aforementioned agreements, and further provided that any change in or amendment to any aforementioned agreement shall be filed with the Commission for approval at least fifteen (15) days prior to the proposed effective date of such change or amendment, and further provided that any change or amendment to the aforementioned agreement which would involve new authority shall be subject to the provisions of the Washington Metropolitan Area Transit Regulation Compact and the Rules and Regulations of the Commission.

AND IT IS FURTHER ORDERED and made a condition of this certificate that the holder thereof shall render reasonable, continuous and adequate service to the public in pursuance of the authority granted herein, and that failure so to do shall constitute sufficient grounds for suspension, change or revocation of the certificate.

BY DIRECTION OF THE COMMISSION:



GREGORY PAUL BARTH

Acting Executive Director

\* This certificate cancels and supercedes Certificate of Public Convenience and Necessity No. 26 issued May 25, 1975, to Arlington Yellow Cab Company, Inc.